

In The Court Of Appeal Of The State Of California 215
Sixth Appellate District
San Jose, California

MONDAY, DECEMBER 6, 1999

(No minute approved orders)

TUESDAY, DECEMBER 7, 1999

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P. J.; Wunderlich, J.; Mihara, J.; and Judy Son, Deputy Clerk.

H018413 PEOPLE v. WILLIAMS

Cause called and argued by Robert Gehring appearing for appellant and by Martin S. Kaye, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H018585 PEOPLE v. BARNES

Cause called and argued by Donald Tickle appearing for appellant and by Sharon Wooden, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H018750 PEOPLE v. HOLMES

Cause called and argued by Joseph Courtney Shevelson appearing for appellant and by Eric D. Share, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H019268 MINIERI v. SEARS ROEBUCK & CO.

Cause called and argued by Allen Fleishman appearing for appellant and by Henry A. Wirta, Jr., appearing for respondent. Cause ordered submitted.

H018518 HOLMES v. MOELLER, et al.; FOREST RIVER PROPERTY OWNER'S ASSOC., et al.

Cause called and argued by Appellant Brent Lee Holmes appearing in propria persona, and by Eugene Epstein appearing for respondents Mary Moeller, et al., and by David Macmillan appearing for respondents Forest River Property Owner's Association, et al. Cause ordered submitted. Court is adjourned.

Sixth Appellate District

San Jose, California

Tuesday, December 7, 1999 (continued)

H018381 LS MEN'S CLOTHING DEFINED BENEFIT PENSION PLAN v.
MARKKULA, et al.

The order sustaining the demurrer without leave to amend
(except for certain claims of the named plaintiff) is affirmed.
Costs on appeal to defendants. (not published)

(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P. J.,
Mihara, J.)

Filed December 7, 1999

WEDNESDAY, DECEMBER 8, 1999

The Court met in its courtroom at 333 West Santa Clara
Street, Suite 1060, San Jose, California. Present: Cottle, P.
J.; Premo, J.; Elia, J.; and Jane F. Varize, Deputy Clerk.

H018411 PEOPLE v. MONTEZ, JR.

No appearances. Counsel for appellant has previously
notified the court that oral argument is waived on behalf of
appellant. Cause ordered submitted.

H019077 GREENLAW v. SMITH; COUNTY OF SANTA CLARA

Cause called and argued by Rosemary B. Greenlaw appearing in
propria persona and by Mary Roth, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

H019088 MB ASIA CAPITAL CORPORATION, et al. v. ALPHATEC
ELECTRONICS PUBLIC CO. LTD., et al.

Cause called and argued by William J. Goines appearing for
appellants and by Richard McDonald and Steven J. Johnson
appearing for respondents. Cause ordered submitted.

H019231 RIVERA v. M&M PACKING, INC.

Cause called and argued by Michael Meuter appearing for
appellant and by Terrence O'Connor appearing for respondent.
Cause ordered submitted. Court recesses until 1:30 p.m.

Sixth Appellate District

San Jose, California

Wednesday, December 8, 1999 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Cottle, P. J.; Premo, J.; Elia, J.; and W. Magsaysay, Deputy Clerk.

H018634 PEOPLE v. KU

Cause called and argued by Glenn Durfee appearing for appellant and by Matthew P. Boyle, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H019931 IN RE BERNARDO V., A MINOR

Cause called and argued by Lori Quick appearing for appellant and by Gregory A. Ott, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H017261 PEOPLE v. DAY

H019702 In re JAMIE DAY on Habeas Corpus

Cause called and argued by Lori Quick appearing for appellant and petitioner and by Dorian Jung, Deputy Attorney General, appearing for respondent. Cause ordered submitted. Court is adjourned.

H018960 PEOPLE v. WOOD

The judgment is affirmed. (not published)
(Cottle, P. J.; We concur: Premo, J., Elia, J.)
Filed December 8, 1999

H019319 PEOPLE v. ROBINSON

H019845 In re ROBINSON on Habeas Corpus

The judgment is affirmed, and the petition for habeas corpus relief is denied. (not published)
(Elia, J.; We concur: Cottle, P.J., Premo, J.)
Filed December 8, 1999

Sixth Appellate District

San Jose, California

Wednesday, December 8, 1999 (continued)

H018638 PEOPLE v. HUNT

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Mihara, J.)
Filed December 8, 1999

H020522 MILAN H. v. SUPERIOR COURT OF MONTEREY COUNTY; MONTEREY
COUNTY DEPARTMENT OF SOCIAL SERVICES

The petition for extraordinary writ is denied. (not
published)
(Elia, J.; We concur: Cottle, P.J., Premo, J.)
Filed December 8, 1999

THURSDAY, DECEMBER 9, 1999

The Court met in its courtroom at 333 West Santa Clara
Street, Suite 1060, San Jose, California. Present: Bamattre-
Manoukian, Acting P. J.; Wunderlich, J.; Mihara, J.; and Nancy M.
Olea, Deputy Clerk.

H018981 PEOPLE v CHARDON

Cause called and argued by Timothy Cronin appearing for
appellant and by Jeffrey M. Laurence, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

H017569 HENARD v CITY OF SANTA CRUZ

Cause called and argued by James McManis appearing for
appellant and by Anthony Condotti appearing for respondents.
Cause ordered submitted.

H019352 PEOPLE v GODINEZ

Cause called and argued by Lance Russell appearing for
appellant and by Bridget Billeter, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Thursday, December 9, 1999 (continued)

H018331 OSWALD v HARRA

Cause called and argued by Walter Pyle appearing for appellant and by Irwin Joseph appearing for respondents. Cause ordered submitted.

H018614 THIELS v VISX CORPORATION

Cause called and argued by Bruce M. Towner appearing for appellant and by Felicia Reid appearing for respondents. Cause ordered submitted. Court is adjourned.

H019663 IN RE IVAN A., A MINOR

The judgment is affirmed. (not published)
(Elia, J.; We concur: Cottle, P.J., Premo, J.)
Filed December 9, 1999

H019897 PEOPLE v. GUILLEN

The judgment is affirmed. (not published)
(Elia, J.; We concur: Cottle, P.J., Premo, J.)
Filed December 9, 1999

H019453 PEOPLE v. PEDRO C.

The judgment is affirmed. (not published)
(Cottle, P.J.; We concur: Premo, J., Elia, J.)
Filed December 9, 1999

FRIDAY, DECEMBER 10, 1999

H017023 PEOPLE v. WILLIAMS, JR.

The May 22, 1997 order of commitment is affirmed.
(published).
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed December 10, 1999

Sixth Appellate District

San Jose, California

Friday, December 10, 1999 (Continued)

H019710 MARRIAGE OF POOLEY

The judgment is reversed and remanded for a statement of decision on the issues raised. We remind counsel that the trial court need not address each question listed in a party's request for finding; all that is required is an explanation of the factual and legal basis for the court's decision regarding such principal controverted issues at trial as are listed in the request. (Atkins v. State(1998) 61 Cal.App.4th 1, 35, fn.30.) Each party to bear its own costs on appeal. (not published) (Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed December 10, 1999

H017672 PEOPLE v. SLEDGE

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed December 10, 1999

H018142 PEOPLE V. RHODES

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed December 10, 1999

H020010 DFCS v. STEPHANIE P., et al.

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed December 10, 1999

Sixth Appellate District

San Jose, California

Friday, December 10, 1999 (Continued)

H018870 PEOPLE v. MULDROW

The judgment is reversed. The trial court is directed to conduct a hearing at which defendant shall be afforded an opportunity to state the reasons he desired the appointment of new counsel. If the court determines that good cause for appointment of new counsel has been shown, the court shall appoint new counsel and set the case for a new sentencing hearing. If the court determines that good cause has not been shown, it shall reinstate the judgment against defendant. (See People v. Olivencia (1988)204 Cal.App.3d 1391, 1401-1402.) (not published)

(Premo, J.; We concur: Cottle, P.J., Elia, J.)

Filed December 10, 1999

H018946 PEOPLE v. HALBERT

The judgment is affirmed. (not published)

(Premo, J.; We concur: Cottle, P. J., Elia, J.)

Filed December 10, 1999

H017653 PEOPLE v. NGO

The judgment is affirmed. (not published)

(Premo, J.; We concur: Cottle, P.J., Elia, J.)

Filed December 10, 1999

H018500 PEOPLE V. ROMAN

The judgment is affirmed. (not published)

(Elia, J.; We concur: Cottle, P.J., Premo, J.)

Filed December 10, 1999

H018411 PEOPLE v. MONTEZ, JR.

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Premo, J., Elia, J.)

Filed December 10, 1999